

STATE OF MAINE
WORKERS' COMPENSATION BOARD

ABUSE INVESTIGATION UNIT
AIU#

STATE OF MAINE
WORKERS' COMPENSATION BOARD

v.

GATES McDONALD

CONSENT DECREE

NOW COME the parties and agree as follows:

1. That Gates McDonald has engaged in patterns of questionable claims-handling techniques in violation of Section 359(2) by failing:
 - (a) to file Employer's First Report of Occupational Injury or Disease forms, Wage Statements, Schedule of Dependent(s) & Filing Status Statements, Memorandum of Payment forms, Notice of Controversy forms, and Statement of Compensation Paid forms in a timely manner;
 - (b) to accurately calculate employees' average weekly wages; and
 - (c) to pay injured employees in a timely fashion.
2. That no formal hearing is required because of this Consent Decree.

WHEREFORE, pursuant to 39-A M.R.S.A. §359(2), a civil forfeiture of \$5,000.00 shall be paid to the Maine Workers' Compensation Board for engaging in patterns of questionable claims-handling techniques.

Dated:

11-3-03

Dana Wilson
Dana Wilson, Claims Manager
Gates McDonald

Dated:

November 12, 2003

Steven P. Minkowsky
Steven P. Minkowsky
Deputy Director of Benefits Administration
Workers' Compensation Board

Dated:

11/13/03

Timothy W. Collier
Timothy W. Collier
Supervisor of the Abuse Investigation Unit
Workers' Compensation Board

**STATE OF MAINE
WORKERS' COMPENSATION BOARD**

**ABUSE INVESTIGATION UNIT
AIU#**

**STATE OF MAINE
WORKERS' COMPENSATION BOARD**

v.

GATES McDONALD

CONSENT DECREE

NOW COME the parties and agree as follows:

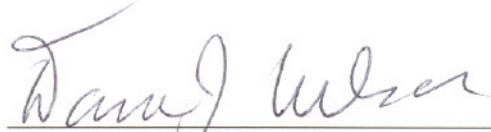
1. That the following forms were required and/or were requested from Gates McDonald during the course of an audit pursuant to 39-A M.R.S.A. §153(9):

Employee	Date of Injury	Forms Not Filed
Betty Bailey	July 2, 2001	WCB-2A, Schedule of Dependent(s) and Filing Status Statement
Robert Delcourt	October 29, 2001	WCB-2A, Schedule of Dependent(s) and Filing Status Statement
Linda Fish	April 11, 2001	WCB-2A, Schedule of Dependent(s) and Filing Status Statement
Ellen Gibson	December 12, 2001	WCB-2, Wage Statement
Christine Sharp-Lopez	October 18, 2001	WCB-11, Statement of Compensation Paid

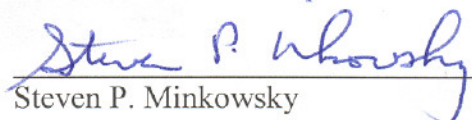
2. That the forms listed above were not filed within the time frame imposed by the Audit Division.
3. That the failure to file the foregoing forms represents five (5) separate violations of 39-A M.R.S.A. §360(1)(A).
4. That nothing in this agreement shall be construed as a waiver of the Workers' Compensation Board's right to seek additional penalties pursuant to 39-A M.R.S.A. §359(2) or 39-A M.R.S.A. §360(2) or both sections.

WHEREFORE, pursuant to 39-A M.R.S.A. §360(1)(A), a civil forfeiture of \$100.00 shall be assessed for each of the foregoing five (5) violations for a total penalty of \$500.00.

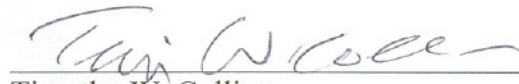
Dated: 11-3-03


Dana Wilson, Claims Manager
Gates McDonald

Dated: November 12, 2003


Steven P. Minkowsky
Deputy Director of Benefits Administration
Workers' Compensation Board

Dated: 11/13/03


Timothy W. Collier
Supervisor of the Abuse Investigation Unit
Workers' Compensation Board

**STATE OF MAINE
WORKERS' COMPENSATION BOARD**

**ABUSE INVESTIGATION UNIT
AIU#**

**STATE OF MAINE
WORKERS' COMPENSATION BOARD**

v.

GATES McDONALD

CONSENT DECREE

NOW COME the parties and agree as follows:

1. That the following forms were required pursuant to 39-A M.R.S.A. and/or Board-approved rules:

Employee	Date of Injury	Forms Filed Late
Betty Bailey	July 2, 2001	WCB-2, Wage Statement
Audrey Berry	March 1, 2001	WCB-1, Employer's First Report of Occupational Injury or Disease WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement
David Bischoff	March 2, 2001	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-11, Statement of Compensation Paid
Shawn Bryson	April 11, 2001	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-3, Memorandum of Payment WCB-11, Statement of Compensation Paid
Paul Chabot	February 7, 2001	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-9, Notice of Controversy WCB-11, Statement of Compensation Paid
Robert Delcourt	October 29, 2001	WCB-2, Wage Statement

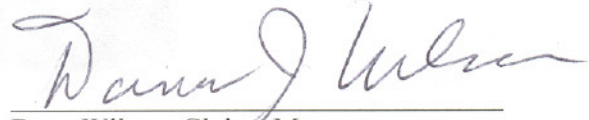
Charles Donald	March 9, 2001	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-11, Statement of Compensation Paid
Kim Dunn	March 10, 2001	WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-3, Memorandum of Payment WCB-11, Statement of Compensation Paid
Linda Fish	April 11, 2001	WCB-2, Wage Statement WCB-3, Memorandum of Payment WCB-11, Statement of Compensation Paid
Ellen Gibson	December 12, 2001	WCB-1, Employer's First Report of Occupational Injury or Disease WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-3, Memorandum of Payment WCB-11, Statement of Compensation Paid
Michael Gray	July 9, 2001	WCB-1, Employer's First Report of Occupational Injury or Disease
Charles Lamperta	June 29, 2001	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement
Pamela Rawlings	January 19, 2001	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-11, Statement of Compensation Paid
Christine Sharp-Lopez	October 18, 2001	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-3, Memorandum of Payment
Kimberly Sullivan	April 17, 2001	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-11, Statement of Compensation Paid

2. That the forms listed above were filed late.

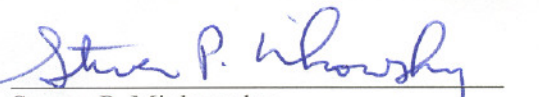
3. That the failure to file the foregoing forms represents forty-one (41) separate violations of 39-A M.R.S.A. §360(1)(B).
4. That nothing in this agreement shall be construed as a waiver of the Workers' Compensation Board's right to seek additional penalties pursuant to 39-A M.R.S.A. §359(2) or 39-A M.R.S.A. §360(2) or both sections.

WHEREFORE, pursuant to 39-A M.R.S.A. §360(1)(B), a civil forfeiture of \$100.00 shall be assessed for each of the foregoing forty-one (41) violations for a total penalty of \$4,100.00.

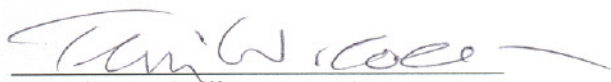
Dated: 11-3-03


Dana Wilson, Claims Manager
Gates McDonald

Dated: November 12, 2003


Steven P. Minkowsky
Deputy Director of Benefits Administration
Workers' Compensation Board

Dated: 11/25/03


Timothy W. Collier
Supervisor of the Abuse Investigation Unit
Workers' Compensation Board